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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Letter dated 28 March 2000 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to transmit, enclosed herewith,* "Information on the convicted Fllora Brovina". I would ask you to have it circulated as an official document of the fifty-sixth session of the Commission on Human Rights under agenda item 9.

(signed) Branko Brankovic

Ambassador
Chargé d'affaires a.i.

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* The annex is reproduced as received, in the language of submission only.

GE.00-12150 (E)

Annex

INFORMATION ON THE CONVICTED FLLORA BROVINA

Following frequent inquiries made by various international human rights organizations, as well as the media speculations regarding the treatment, health protection and the grounding of the sentencing and the conditions of incarceration in the Penal-Correctional Institution in Pozarevac of Fllora Brovina, the Ministry of Justice of the Republic of Serbia has noted the following relevant data with respect to the said convict.

1. Fllora Xhevada Brovina, daughter of Sina Shehu, born at Srbica on 30 September 1949, Albanian, citizen of the Federal Republic of Yugoslavia, resident of Pristina, physician by profession, married, mother of two children, not convicted thus far, has been sentenced to 12 yeas in prison for the criminal act of association for enemy activity under Art. 136, para 1, with reference with the criminal act of terrorism under Art. 125, FRY, punishable by Art. 139, para 3, of the Penal Code of Yugoslavia.

By sentence K. No. 168/99 of the District Court of Nis of 9 December 1999, Fllora Brovina has been sentenced to a 12-year imprisonment for having actively worked, since 1992 until apprehension on 20 April 1999, on establishing an enemy association, the aim of which was to secede the Autonomous Province of Kosovo and Metohija from the Federal Republic of Yugoslavia through unconstitutional means and to proclaim it an independent State of the so-called "Kosovo Republic", so that on 18 January 1992 with 30 women, members of Albanian nationality, she formed an association called the "League of Albanian Women" of which she was elected Chairperson, so that under the guise of that non-party, humanitarian-educational and ethnic organization she organized, since 1992 until the proclamation of immediate war danger and the state of war, a number of enemy demonstrations of Albanian women in Pristina and worked on pooling resources for the work of other illegal organizations and associations with the same goal and platform.

Also, in mid-March 1998, the said person attended a meeting of representatives of Albanian political parties in the premises of the shopping mall in Miladina Popovica Street in Pristina at which the "Ministry of Health of the Republic of Kosovo" was established and at which she was appointed "Health Minister", the work of which was directed at organizing the work of, and equipping, field hospitals in which members of the so-called "Kosovo Liberation Army" were to be treated; following her replacement, she continued her work in the "League of Albanian Women".

In the first half of 1998, the said person participated in setting up terrorist gangs of the so-called "Kosovo Liberation Army", the aim of which was to threaten, by way of taking acts of violence against members of the Ministry of the Interior of Yugoslavia and the Army of Yugoslavia, as well as against the civilian population creating a feeling of insecurity among citizens, the constitutional order and

security of the Federal Republic of Yugoslavia by having the territory of the Autonomous Province of Kosovo and Metohija, upon the proclamation of an independent State, annexed to the Republic of Albania, so that, to further the needs of the gangs, she organized, through the "League of Albanian Women", the knitting of jumpers and the sowing of uniforms and made available to the members of the gangs the premises of the association, while during March and April 1999 at the time of the proclamation of immediate war danger and the state of war, she engaged in equipping field hospitals of the "Kosovo Liberation Army", procuring for the purpose through various foreign humanitarian organizations large quantities of various medical supplies.

Fllora Brovina was detained since 20 April 1999 under decisions Nos. Ki. 46/99 and Kr. 48/99 of the District Court of Pristina of 17 May 1999 and 27 May 1999 respectively under which the detention lasted till 27 June 1999. The detention was extended until 27 July 1999 by a decision of the District Court of Pristina, while it was extended until 20 October 1999 by decision No. Kr. 734/99 of the Supreme Court of Serbia for the criminal act of association for enemy activity under Art. 136, para 1, of the Penal Code of the Federal Republic of Yugoslavia in connection with the criminal act of threatening the territorial integrity under Art. 116, para 1, of the Penal Code of the Federal Republic of Yugoslavia and the criminal act of terrorism under Art. 125 of the Penal Code of the Federal Republic of Yugoslavia.

2. Fllora Brovina was admitted in the Penal-Correctional Institution in Pozarevac, Department for Sentenced Women, on 11 June 1999. With the consent of the Ministry of Justice, the said person has been visited by the members of the International Committee of the Red Cross, members of the media, her defense lawyer and husband with family. So far the said person has had no complaint regarding the work and behavior of the personnel of the Penal-Correctional Institution, to which a written statement of the said person testifies. The hospital in Pozarevac noted that Brovina suffers from angina pectoris and increased blood pressure. On that occasion she was prescribed appropriate treatment and has been under direct medical treatment and is receiving appropriate therapy ever since.

The allegations in some media that Fllora Brovina has suffered two infarctions as a consequence of imprisonment are incorrect. Because of personal problems, Fllora Brovina was examined by a neuro-psychiatrist who established that, neurologically and psychiatrically, she was O.K.

As to health protection, it can be concluded on the basis of the available documentation made in connection with every medical check-up that medical assistance is provided to Brovina whenever one is needed, i.e. whenever the medical workers of the Penal-Correctional Institution assess so or whenever the said person demonstrates a need for medical treatment and therapy on the basis of personal difficulties.

On the basis of a complex insight into the documentation and treatment of Fllora Brovina, the Ministry of Justice of the Republic of Serbia has noted that the treatment of the said person is not different from the treatment being applied to other persons, i.e. that it is being applied in a humane and legal way.

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